

UNLAWFUL RATES GIVEN STANDARD

Railroads Have Allowed Secret Rebates.

MILLION ANNUAL BENEFIT

Report of Commissioner of Corporations Garfield Sent to Congress.

Washington, May 4.—President Roosevelt today transmitted to Congress the report of Commissioner of Corporations Garfield giving the result of his investigation on the subject of transportation and freight rates in connection with the oil industry. In the message the President expressed the view that the report is of capital importance. The facts set forth in the report are for the most part undisputed. The President also says the report shows clearly that the Standard Oil Company has benefited enormously almost to the present moment by secret rates, many of which were unlawful, the benefits thereby amounting to at least three-quarters of a million dollars each year. The striking result of the investigation, he said was that shortly after the discovery of these secret rates by the commission of corporations most of them were corrected by the railroads, which he considers an acknowledgment that they were wrong.

Prosecution Likely to Follow.
The statement is added that the department of justice will take the up question of instituting prosecutions in certain of the cases. The President favors the element of competition and the passage of some such law as that which has already passed the House, putting the alcohol used in arts and manufactures on the free list and of keeping the fee to oil and coal lands belonging to Indian tribes or on the public domain in government lands to be leased only on such terms and for such periods as will enable the government to entirely control them.

Text of Report.
In summarizing his report, Commissioner Garfield speaks of his personal visit to the oil fields and the great mass of data he obtained personally and through his bureau. He found the output amounts to about 26,000,000 barrels of which the Standard controls about 23,000,000. The Standard obtained the use of the pipe lines through unfair competitive methods and they were then developed through special agreements with the railroad companies. And this advantage has been increased greatly by discrimination in freight rates both published and secret. Both the interstate and state which gives the Standard a monopolistic control. Commissioner Garfield then cites the fact that the New York Central is the only road which refused to give him access to its records of state rates.

Favors to Standard.
He then refers to seven instances of important discrimination in favor of the Standard in various parts of the country, although the Standard at the beginning of the investigation denied it had received rebates in late years. He says the investigation shows clearly at least one glaring defect in the Interstate Commerce law, viz., the method of filing and publishing tariffs. All state rates used in connection with interstate shipments should be filed with the Interstate Commerce Commission and a radical change should be made in the direction of simplifying tariffs and in the methods of posting them.

Senate Approves Message.
Washington, May 4.—In the Senate today Senator Foraker made a motion that the President's message be laid on the table. Senator Foraker said: "It covers nearly all the questions now under consideration in connection with publishing bills." On conclusion of the reading of the message in the House both sides vied with each other in their demonstrations of approval. The House then took up the consideration of the naval appropriation bill.

Vote on Smoot Case.
Washington, May 4.—The Senate committee on privileges and elections decided today to vote on the Senator Smoot case May 13.
Washington, May 4.—The Senate began its session today by listening to the reading of the President's message on the connection of the transportation and oil industries. The House also received and read the message.

NEW PARLIAMENT IN HARMONY.
St. Petersburg, May 4.—M. Schwanebach, Premier Goremykin's chief lieutenant, announced to the Associated Press today that the new ministry is not reactionary and that it is the government's purpose to work with the parliament.

WILLIAMS DEMANDS DAILY QUORUM

Until Hamilton Statehood Bill is Finally Reported—New Mexico Pension.

Special to the New Mexican.
Washington, May 4.—Congressman John Sharp Williams, the Democratic leader is continuing his policy and demanding a quorum of the House on all questions today and will continue this policy until the Hamilton statehood bill shall be reported. Another meeting of the conference committee on the Hamilton bill will be held tomorrow.

First Amendment to Hepburn Bill.
Special to the New Mexican.
Washington, May 4.—In the U. S. Senate this forenoon the first amendment to the Hepburn railroad freight rate regulation bill introduced by Senator Lodge was adopted by a vote of 75 for, to none against.

New Mexico Pension.
Special to the New Mexican.
Washington, May 4.—Owing to the good work of Delegate W. H. Andrews the pension division has allowed the following New Mexico pension: William Winn, Deming, \$30 per month from April 11, 1906.

VINDICATES HIMSELF.

Former Consul General Answers Charges Against Him and Files Counter Complaint.

Washington, May 4.—Former Consul General McWade of Canton, China, yesterday issued a statement in answer to the charges made against him by Third Assistant Secretary of State Pierce, and then filed charges of a most sensational nature against Pierce. The House committee on foreign affairs listened to McWade's statement, and although he was to be allowed but ten minutes to defend himself he was finally given nearly two hours. McWade presented affidavits to show the unreliable character of those who investigated the charges against him. It is now thought that Congress will take up the complaint made against Pierce, and investigate it thoroughly. After his statement the former consul general was warmly congratulated by the members of the committee, and it is considered that he has thoroughly vindicated himself.

LUMBERMEN ARRESTED CHARGED CONSPIRACY

Wealthy Men Taken in Charge By Federal Authorities in Connection With Land Fraud Cases.

Milwaukee, Wis., May 4.—On the charge of conspiracy to defraud the general government in connection with land frauds in the state of Oregon, five lumbermen and bankers, whose aggregate wealth is far in excess of \$1,000,000 were arrested by the federal authorities at Oskosh, Wisconsin, yesterday. The men arrested are Leander Choate, James Matt, Bray, Benjamin Doughty and Thomas Daly, all of whom are well known among lumber and business circles in the Badger State.

STANDARD OIL DENIES CHARGES

Says Business Built on Merit Without Assistance From the Railroads.

New York, May 4.—When the President's message with the accompanying report by Commissioner Garfield was received at the office of the Standard Oil Company, General Counsel of the Company Elliott, said that all charges that the company received railroad favors were untrue, and said their business was built up and perpetuated on its merits. They said they thought Commissioner Garfield's report was wholly unfair and said that later the Standard Oil Company would make a request for a fuller and more specific report.

CONVENTION ADJOURNS WITHOUT ACTION

Anthracite Miners Discuss Operators' Refusal to Grant Their Demands.

Scranton, May 4.—The convention of anthracite miners spent the forenoon hearing the opinions of various delegates on the operators' refusal to grant their demands and at 11:45 adjourned until this afternoon without any decisive action.

GOOD WORK HAS BEGUN

Senate Passes Amendment Making Pipe Lines for Oil Common Carriers.

Washington, May 4.—A Senate amendment making pipe lines for transportation of oil common carriers, within the meaning of the Interstate Commerce act, was unanimously adopted today.

WONDERFUL WORK OF COMMITTEES

Terrible Condition of Streets Being Straightened.

FAMINE STILL THREATENS

Supply of Provisions for Refugees Rapidly Dwindling Away.

San Francisco, May 4.—The army of people at the Presidio have accomplished wonders in way of straightening out a badly mixed condition of affairs in the stricken city. In an interview on the subject today General Funston said:

"This is the largest rescue work ever attempted by the army. In the east they speak of the fire as the greatest catastrophe of the age, but even those who are engaged in the work of relief on the ground, don't realize yet that 200,000 people who were made homeless and penniless in a day have been fed and sheltered for over two weeks and no one has gone hungry."

"The relief committee has already wrought wonders, but in the end it must be admitted that without the army this would have been impossible."

The first signs of the resumption of real estate sales on the market were seen yesterday. Several transactions which were pending before the conflagration, were completed along the lines of their original terms, while some new ones were entered upon. In addition to these a number of offers for realty at figures below values which hitherto reigned were promptly declined.

Enormous Damage in Oakland.
Oakland, Calif., May 4.—Careful estimates of the damage wrought by the earthquake in this city foot up to \$200,000,000 according to a report submitted to Mayor Mott, by building inspector Towle today. This includes all injury done buildings of the school department.

High Value on Realty.
San Francisco, May 4.—The local syndicate which owns the Lick house site on Montgomery Street, between Post Street and Sutter Street, has been offered \$750,000 more than it paid for the lot and the hotel building two years ago and has declined to sell. This shows the strength of down town realty values.

Much Damage at Santa Rosa.
Oakland, Cal., May 4.—Governor Pardee today received a dispatch from Santa Rosa stating that property loss caused by the recent earthquake and fire will amount to \$3,000,000 and that it will cost \$150,000 to clear away the wreckage.

Again Faces Famine.

San Francisco, May 4.—In spite of the immediate response of people all over the country, to this city's request for aid, the town again faces a famine and unless food arrives, suffering cannot be avoided. General Greeley who has had charge of the relief announces that food supplies to last not over ten days, is all that remains of the quantities received here, and another appeal for help has been issued to the country at large. Much of the food that was received has been of such a perishable quality that it spoiled before it could be used, and the constant demand for free supplies has again made the question of supplies the burning one of the hour.

Still Fear Fire.

All fires for cooking and lighting purposes are still under police regulation and no stove can be lighted except with permission from the authorities. Although the water department is continually getting into better shape, and there is now plenty for drinking purposes, there is no water that can be used for the purpose of fighting fire.

Plan for Re-Building.

City Engineer Woodward today submitted a plan for re-building the city, which includes the broadening and extending of many of the boulevards, and straightening many streets. This will not only tend to make the town more beautiful, but will make it much safer.

ISSUES ULTIMATUM.

Great Britain Demands Withdrawal of Turkish Troops From Egyptian Territory.

London, May 4.—The British ambassador at Constantinople yesterday presented a note to Turkey demanding the complete withdrawal of Turkish troops from Egyptian territory. The note is practically an ultimatum and constitutes Great Britain's last word as to encroachments of Turkey in the Sinaitic Peninsula. The French and Russian ambassadors at Constantinople are all supporting the British contention.

NEARLY \$1,000 FOR SUFFERERS

Santa Fe Relief Committee Reports Success.

STILL MORE TO COME

Citizens Respond to Call for Aid by the Western Coast.

At a meeting of the San Francisco relief committee of this city held in the offices of District Clerk A. M. Berge, last evening report was made by Treasurer A. H. Brodhead, as follows: Receipts—Public subscriptions \$638; entertainment \$287.50; base ball game between the Santa Fe Centrals and U. S. Indian Training School \$46; total \$971.50. Disbursements—Currency shipped to San Francisco \$500; printing and other incidentals including telegrams, \$25.25; expenses incurred in giving entertainment \$16.90. Total \$542.15.

There is at present a balance on hand of \$429.35 and with the subscriptions promised which have not yet been collected and the receipts of the ball game to be played next Sunday between the U. S. Indian Training School and the Santa Fe Mechanics, it is expected there will be enough to increase the amount to \$500.

Passes Resolutions.

During the meeting the following resolutions were adopted, copies of them will be forwarded to the proper persons:

Resolved, That the thanks of this committee are hereby tendered to Mother General Praxides of the order of Loretto, for her kindness in granting the use of Loretto hall in Santa Fe for the entertainment recently given for the benefit of the sufferers of the earthquake in California.

Resolved, That the thanks of this committee are hereby tendered to the Sisters of Loretto of this city for furnishing pianos, lights and other conveniences in their hall, and for permitting their talented pupils to participate in the recent entertainment for the benefit of the sufferers of the earthquake in California.

Resolved, That the thanks of this committee are hereby tendered to Brother Director Lewis of St. Michael's College for granting the use of the base ball grounds connected with said college for the two games which were recently played by the Santa Fe Centrals and the Indian School and Mechanics nines for the benefit of the sufferers of the earthquake in California.

Resolved, That the thanks of this committee are hereby tendered to the local lodge of Elks, for the generous and effective assistance in the recent entertainment for the benefit of the sufferers of the earthquake in California.

Resolved, That the thanks of this committee are hereby tendered to the members of Morrison's orchestra for their generosity in furnishing fine music at the recent entertainment which was given for the benefit of the sufferers of the earthquake in California.

Resolved, That the thanks of this committee are hereby tendered to all the other good people, big and little, who graciously assisted at the entertainment, recently given for the benefit of the sufferers of the earthquake in California.

Resolved, That the thanks of this committee are hereby tendered to the good people of Santa Fe, who by their liberal subscriptions and other assistance made it possible for this committee to raise a generous sum amounting to about \$1,000 for the relief of the people of California, who have suffered terrible distress during and since the earthquake in that state.

Resolved, That the thanks of this committee are hereby tendered to the local offices of the Western Union and Postal Telegraph Companies and the Wells-Fargo Express Company for their generous assistance to this committee.

Resolved, That a copy of the above resolutions be forwarded to each of the above named contributors to the fund of this committee.

Santa Fe Ranks High.

All things taken into consideration, the relief committee of this city under the chairmanship of A. M. Berge has done remarkably well and the amount raised compares favorably with that of other cities of the Territory. The men in charge of the work went into it with a vim, in some cases neglected their business and devoted their whole time to the worthy cause. The entertainment committee not only added materially to the amount collected in this city but they gave the people of Santa Fe an entertainment the equal of which has not been seen in years. The young ladies who helped

ATTORNEY GENERAL RENDERS OPINION

Believes Pueblo Indians Have No Right to Vote at General Elections in Territory.

In answer to an inquiry from the Hon. Gregory Page, a citizen and a taxpayer residing in Gallup, McKinley County, an opinion was rendered today by Attorney General George W. Prichard as to whether Pueblo Indians can exercise the right to vote at general elections. The matter has long been discussed in different sections of the Territory, and the opinion is of interest. It is as follows:

"Hon. Gregory Page, Gallup, N. M.

"My Dear Sir—I have your favor of the 30th ultimo, with enclosures. You ask me for an opinion as to whether Pueblo Indians are voters at general elections in this Territory. Ordinarily, inquiries coming to this office from those other than territorial officials, members of territorial boards and members of the legislature, are referred to the district attorney for the proper district for answer. I will, however, give you the benefit of my opinion, so far as I have an opinion, upon the matter inquired about. The only statute we have upon the subject that I am aware of, is as follows:

"Compiled Laws of 1897, section 1678. The Pueblo Indians of this Territory, for the present, and until they shall be declared by the Congress of the United States to have the right to be excluded from the privileges of voting at the popular elections of the Territory, except in the elections for overseers of ditches to which they belong, and in the elections proper to their own pueblos, to elect their officers according to their ancient customs."

"Pueblo Indians of New Mexico have been held to be citizens of the United States by the Supreme Court of this Territory in the case of United States vs. Lucero, Vol. 1, page 422, New Mexico Reports, and also in its opinion of March 3d, 1904, in the case of the Territory vs. Persons, in delinquent tax lists of Bernalillo County.

"Our courts have not passed upon the direct question as to the right of these people to vote at general elections by reason of their citizenship, nor so far as I know upon the validity of the section of the law above quoted. Construing the law as it stands upon the statute books of this Territory they are excluded from the privilege of voting at popular elections, except in the election for overseers of ditches, and the election of their own officers in their pueblos, according to their ancient customs.

"I think it advisable to accept the law as it now stands on the statutes, until the same is passed upon by our courts. It is an open question as to whether these people would be declared voters or not, should the matter be properly presented to the courts, and until the courts do pass upon it, as said above, section 1678, Compiled Laws of 1897, should govern. Very respectfully yours,

"GEO. W. PRICHARD,
"Attorney General."

MINERS LIKELY AVERT STRIKE

Delegates in Executive Session Send Policy to Scale Committee With Power to Act.

Scranton, Pa., May 4.—With a motion that the policy of the United Mine Workers be carried back to the scale committee with full power to act, the delegates convened in executive session this afternoon. If the motion prevails it is not probable that the scale committee will declare a strike. The session lasted an hour when it was announced that they agreed to refer the matter to the scale committee. There is every reason to believe that a peaceful settlement can now be made and the men who have been idle since April 1st will soon be ordered back to the mines.

QUO WARRANTO PROCEEDINGS

Brought By Frank A. Hubbell Against Justo B. Armijo for Office of Treasurer of Bernalillo County.

Quo warranto proceedings were instituted yesterday in the Second Judicial District Court for Bernalillo County by Frank A. Hubbell against Justo B. Armijo, present treasurer and collector of Bernalillo County to show by what right he held the office and to show cause why he should not be removed therefrom and the office restored to Hubbell, who had been duly elected to the same in November, 1904, but had been removed therefrom by executive authority. The quo warranto proceedings were brought in the name of the attorney general of the Territory of New Mexico ex rel Frank A. Hubbell. The hearing will be held on May 8th before Judge Ira A. Abbott, at Albuquerque.

ed the cause by selling tickets are also deserving of great credit, as in fact are all who assisted in raising the relief fund.

AGREEMENT WILL SETTLE RATE BILL

Conference Agrees on Differences of Measure.

AMENDMENT BY ALLISON

Circuit Courts to Determine Suits Against Interstate Commerce Commission.

Washington, May 4.—What amounts practically to an agreement to the existing differences concerning the court features of the railroad rate bill, has been reached by the Senate conference extending over last week and Senator Allison will now offer an amendment conferring jurisdiction upon the circuit courts to hear and determine suits brought against the Interstate Commerce Commission. The amendment will not suggest to the court whether their judicial review shall be confined to external questions or whether it shall inquire into the justness or reasonableness of the rates fixed by the commission. Senator Long who made the principal legal argument for the House bill and Senators Aldrich and Crane, leaders in the movement seeking an amendment providing for a broad court review expressed themselves today as favoring the amendment and both factions agreed that the compromise is satisfactory to the President. Undoubtedly this means that all obstacles to the speedy passage measure has been removed.

Republican Strength for Bill.

Whether conservative or radical won the victory is a question that is not disturbing either faction. The agreement in the measure is regarded as political and it is believed that now practically all the Republican strength will be cast for the bill, whereas, it was heretofore considered that it would require a majority to pass the bill and the Democratic party would be in a position to take the full credit for it.

Homesteads on Forest Reserves.

A dispatch from Washington says that the Senate committee on public lands Wednesday reported favorably the bill which has passed the House authorizing homestead entries within forest reserves of lands more valuable for agricultural purposes than for forestry.

Appropriation for Agricultural Experiments.

A special Washington dispatch says that the agricultural appropriation bill passed by the House Wednesday carries several items of direct benefit to Colorado all of which were inserted in the bill at the request of Representative Brooks.

The most important item is an appropriation of \$25,000 for experiments in dry farming. The bill also appropriates \$4,000 to continue the investigation of poisonous plants, particularly the loco weed; \$25,000 for horse breeding and \$8,000 for sugar beet seed investigations and experiments.

CATTLE RUSTLER ARRESTED

By Mounted Policemen Near Portales, the Third in One Week.

A telegram received by Captain Fred Fornoff of the mounted police today states that Mounted Policeman M. Putnam has arrested Milton Mason on the charge of cattle stealing near Portales, Roosevelt County. Mason is the third member of a gang of cattle rustlers, who have committed many depredations near Tucumcari, to be arrested within a week. The mounted police are in the possession of information which they are confident will result in the capture of other members of the gang and ultimately put an end to the raids that have caused the people in that portion of the Territory much trouble in the past. The thieves have operated near Tucumcari making many large hauls and then disappeared temporarily from the vicinity. It was learned lately that the headquarters of the gang was near Portales close to the Texas line in a wild spot, where they were practically sure of not being discovered by officers of the peace. The officers now believe they are in possession of evidence which will help in rounding up the entire outfit.

NEW PUMPING PLANT FOR SIERRA DE COBRE MINE.

News from Bisbee is to the effect that the Sierra de Cobre mine at La Cananea, Sonora, Mexico, has had considerable trouble with water in its mine, but with the installation of two new 160 horsepower boilers and pump have succeeded in getting the water out and will now make greater headway.